IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT APPEAL NO : 1917 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 03/08/2004 in WP NO : 11912 OF 2004 on the file of the High Court.)

Between:

Kolla Suryanarayana, S/o.Sri Subba Rao,
Primary Agricultural Cooperative Credit Society Limited, B.Savaram, East Godavari District.

..... APPELLANT

AND

1 The District Cooperative officer, Kakinada, East Godavari District.
2 The Deputy Registrar of Cooperative Societies, Amalapuram, East Godavari District.
3 The Sub-Divisional Cooperative officer, Razolu, East Godavari District.
4 Primary Agricultural Cooperative Credit Society Limited, B.Savaram, Razolu Mandal, East Godavari District.

.....RESPONDENTS

Counsel for the Appellant : MR.M.V.DURGA PRASAD

Counsel for the Respondents : GP FOR COOPERATION

The Court made the following :

ORAL JUDGMENT:

(per Hon'ble The Chief Justice)

…..

1 . Appellant – petitioner was appointed as Chairperson of the Person-in-charge Committee of 4th respondent – Society pursuant to the powers conferred under Section 32(7)(a) of A.P. Co-operative Societies Act. From time to time the term was being extended and the last term was to expire on 26.07.2004. But on 05.06.2004 news item appeared in daily newspaper that authorities have cancelled the existing Person-in-charge Committee headed by the petitioner – appellant. Aggrieved by the said action, writ petition was filed questioning the action of 2nd respondent in cancelling the Person-in-

charge Committee of 4th respondent without conducting any enquiry or serving any order on the petitioner, as illegal.

2. Learned single Judge took notice of certain facts and declined to interfere in the writ petition on the ground that whatever may be alleged, but as on the date of passing of the order the term of the petitioner had already expired on 26.07.2004. Therefore, there is no question of holding the action of the respondents as illegal or arbitrary, and moreover continuance of Person-in-charge Committee cannot be sought as a mater of right and there is also no provision for issuing any show-cause notice or for being heard in the event of cutting short of the term. We see no grounds to interfere in this appeal.

3. Writ appeal fails and is dismissed. No costs.

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DEVINDER GUPTA. C.J.,

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M. NARAYANA REDDY. J.,

Dated: 09.12.2004.

VRK.

To

1 The District Cooperative officer, Kakinada, East Godavari District.
2 The Deputy Registrar of Cooperative Societies, Amalapuram, East Godavari District.
3 The Sub-Divisional Cooperative officer, Razolu, East Godavari District.

4 Primary Agricultural Cooperative Credit Society Limited, B.Savaram, Razolu Mandal, East Godavari District.

5. Two CCs to G.P. for Cooperation, High Court Buildings, Hyderabad. (OUT).

6. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE M. NARAYANA REDDY.

W.A.NO. 1917 OF 2004.

(Judgment of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 09.12.2004.